

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 DUHJUAN L. MILLER,

4 Plaintiff

5 v.

6 BRIDGECREST and DANIEL
7 GAUDREAU,

8 Defendants

Case No.: 2:23-cv-00585-APG-DJA

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 16]

9 On February 26, 2024, Magistrate Judge Albregts recommended that I dismiss this case
10 without prejudice because plaintiff Duhjuan Miller did not file an amended complaint by the
11 given deadline. ECF No. 16. Miller did not object. Thus, I am not obligated to conduct a de
12 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts
13 to “make a de novo determination of those portions of the report or specified proposed findings
14 to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
15 (en banc) (“the district judge must review the magistrate judge’s findings and recommendations
16 de novo *if objection is made*, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Albregts’ report and recommendation
18 (ECF No. 16) is accepted and this case is dismissed without prejudice. The clerk of court is
19 instructed to close this case.

20 DATED this 14th day of March, 2024.

21 

22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE